

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY, CALIFORNIA
AND RECORD OF ACTION**

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March 30, 2004

FROM: PATRICK J. MEAD, Interim Director
Department of Public Works – Regional Parks

**SUBJECT: AMENDMENT TO AGREEMENT WITH STEVE RUDY FOR USE OF
CUCAMONGA-GUASTI REGIONAL PARK**

RECOMMENDATION: Approve Amendment No. 1 to Agreement No. 99-642 with Steve Rudy, dba Cutting Edge BMX, to extend the term from June 30, 2005 through June 30, 2009 for continued operation of a BMX Track at Cucamonga-Guasti Regional Park.

BACKGROUND INFORMATION: On July 13, 1999, the Board of Supervisors approved Agreement No. 99-642. This agreement allowed Steve Rudy (Tenant) to occupy a portion of Cucamonga-Guasti Regional Park solely for the purpose of developing, maintaining, and operating a BMX track for bicycles and radio control vehicles.

This agreement does not expire until June 30, 2005, but both parties desire to extend this agreement through June 30, 2009. The Tenant has hosted the American Bicycle Association's (ABA) annual National Event for the past several years. The ABA has stated its desire to continue this arrangement, and to hold other events at the Tenant's premises over the next five years. The National Event is televised nationally and increases revenue into the County economy as well as the municipal economies. The event also enhances public recognition of Cucamonga-Guasti Regional Park and its many facilities. Given the desire of the ABA to continue its use of the track for the National Event and the Tenant's service record, Regional Parks recommends approving the proposed amendment.

Under the proposed amendment, Tenant shall continue to pay the County a fixed annual amount of \$2,000 and a percentage of the Track's gross income. Either party may elect to terminate this lease without cause by delivering written notice to the other party at least ninety (90) days prior to the termination date. Approval of this item shall extend the term date by an additional four (4) years. All other terms and conditions of Contract No. 99-642 shall remain in full force and effect.

REVIEW AND APPROVAL BY OTHERS: This item has been reviewed by the County Administrative Office (Tom Forster, Administrative Analyst III, 387-4635) on March 7, 2004. This item has also been reviewed by County Counsel (Fiona Luke, Deputy County Counsel, 387-5474) on March 16, 2004.

FINANCIAL IMPACT: In accordance with this amended lease agreement, the Regional Parks Division will receive a minimum of \$2,000 in lease fees annually through June 30, 2009. Additionally, Tenant agrees to pay the County five percent (5%) of gross income in excess of \$50,000 per year.

SUPERVISORIAL DISTRICT(S): Fourth

PRESENTER: Thomas A. Potter, Chief of Regional Parks 387-2340

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